

# DESOTO COUNTY BOARD OF SUPERVISORS

## BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

January 4, 1999

### A. CALL TO ORDER

The January 4, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis of DeSoto County.

Deputy Sheriff Charlie Brown of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1  
Eugene C. Thach-----District 2  
James D. Pearson-----District 3  
John Caldwell-----District 4  
Tommy Lewis-----District 5  
W. E. "Sluggo" Davis-----Chancery Clerk/Interim County Administrator  
James Albert Riley-----Sheriff of DeSoto County  
William Austin-----Board Attorney

### B. INVOCATION

The invocation was presented by Supervisor Tommy Lewis.

### C. APPROVAL OF DECEMBER MINUTES

The official minutes of the Board of Supervisors were read for the month of December, 1998. Pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the minutes of the Board of Supervisor's for December, 1998 subject to the revisions given to Vanessa Lynchard previously by Supervisor Eugene Thach. The **motion passed** by a unanimous vote.

### ITEM D, CONTINUED,

### D. APPOINTMENTS & APPROVAL OF BONDS AS NECESSARY & ORGANIZATION OF THE BOARD

In accordance with Section 19-3-7 of the Mississippi Code Annotated, which states that the members of the Board of Supervisors, shall organize by electing one of their number to be president, and by electing one of their number to be vice-president, and being so organized, and attended by the sheriff and clerk, the board may proceed to discharge its duties.

Supervisor John Caldwell nominated by motion and Supervisor Eugene Thach seconded the nomination to approve Supervisor Jessie Medlin to serve as president for a term expiring after January 4, 2000. The **motion passed** by a unanimous vote. The new Board President, Supervisor Jessie Medlin, and the 1998 Board President, Supervisor Tommy Lewis exchanged places with Board President Medlin presiding over the remainder of the meeting.

Supervisor John Caldwell nominated by motion and Supervisor Tommy Lewis seconded the motion to approve Supervisor Eugene Thach as Vice-President of the Board of Supervisors. The **motion passed** by a unanimous vote.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the list of appointments as presented, as follows:

APPOINTMENT	APPOINTEE	DISTRICT
Board of Adjustment	Wayne Hollowell	District 1
	Carlton Gatlin	District 2
	J. D. James III	District 3
	Wayne Anderson	District 5
Lewisburg Fire District	Frank Treadway	
Walls Fire	Ray Jolley	
Eudora Fire	Bill Holt	
Horn Lake Library Board	Reba Little	District 3
	Mary Deaton	District 4
	Connie Sparks	District 4
Olive Branch Library Board	Lelia Payne	District 1
	Betty Collins	District 1
	Gail Hanna	District 1
Southaven Library Board	Peggy Hall	District 1
	Donna Bouchillon	District 2
	Betty Moore	District 3
License Commission	Ed Passeur	District 1
	Dale Watson	District 2
	Terry Gross	District 3
	John Harpole	District 4
	David Johnson	District 5

ITEM D, CONTINUED,

APPOINTMENT	APPOINTEE	DISTRICT
Park Commission	Bill Welch	District 1
	Mike Mullins	District 2
	Fred Foahee	District 3
	Don Carnell	District 4
	Bowdre Emerson	District 5
Planning Commission	Len Lawhon	District 1
	Julius Cowan	District 1
	Shirley James	District 1
	Charles McNemar	District 2
	Leonard Lindsey	District 2
	Edward Williams	District 2
	Bruce Prewitt	District 3
	Pat Koehler	District 3
	Child Rice	District 3
	Jimmy Maxwell	District 5
	Mike Robinson	District 5
	Paul Whitfield	District 5
NWJC Trustee	M. C. Sparks	
Walls Sewer District	Bobby Reed	

Handicap Compliance Grievance Committee	Trudy Haven	District 1
	Sara Wilkins	District 2
	Marvin Graves	District 3
	Mike Riley	District 4
	Barbara Chamberlin	District 5
Ms Area of Government Rep	Jessie Medlin	
Jury Commissioners	Belinda Dean Sylvia Skelton	BOS Appointee Circuit Court
Mid State Opportunity Board of Director	John Caldwell	
North Delta Planning District	Tommy Lewis Lorine Cady	
DeSoto County Convention & Bureau Commission	Lamar Rodman	District 2
	Betty Moore	District 3
DeSoto Delegation Ms Youth Summit	Randy Allen	District 1
	Gail Hanna	District 1
	Wayne Hill	District 2
	Doug Bassett	District 4
	Joey Roberson	District 5
	Donna Tippitt	District 5

ITEM D., CONTINUED,

APPOINTMENT	APPOINTEE	DISTRICT
Board Attorney	William Austin	
Dale Thompson	Comptroller	
Bobby Storey	Director of EMS	
Daniel Murphy	County Engineer	1/3/00

with the exception of the Board of Adjustment; the Planning Commission for District 4, and Summershill Fire Protection District with these changes to be made February 1<sup>st</sup>, 1999. The motion passed by a unanimous vote. \*\*See Exhibit D\*\*

**E. PUBLIC HEARING - CLOSING OF OLD HIGHWAY 51 AT HIGHWAY 51 SOUTH**

Supervisor Jessie Medlin asked the Road Manager, Kenny Gunn for recommendations on the closing of Old Highway 51 at Highway 51 South. Mr. Gunn replied, he recommended closing this intersection of Old Highway 51 for the safety of the public.

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to close the intersection of Highway 51 and Old Highway 51, at the recommendation of the Road Manager, Kenny Gunn, and in accordance with Section 65-7-121 of the Mississippi Code, which states the Board of Supervisors of any county may, upon its own motion or upon the petition of any interested resident of the county, by resolution spread upon its minutes, declare any section of the county road system abandoned upon its finding at one or more of the following circumstances are applicable to the section in question: (d) For any reason, the public interest or convenience does not require the section to remain open to the public or that it is in the public interest or convenience to close, vacate and abandon the section. The **motion passed** by a unanimous vote. **\*\*See Exhibit E\*\***

**F. OLD BUSINESS**

**1. Petition - Residents East Craft Road - to accept as County Road & Rename Dylan**

This item was held over until January 6<sup>th</sup>, 1999. **\*\*See Exhibit F.1\*\***

## **2. Traffic Light - Church Road & Getwell Road - Clarification of Board Order**

County Administrator, W. E. “Sluggo” Davis notified the Board of Supervisors he had spoken with Mayor Greg Davis in connection with the traffic light at Church Road and Getwell Road. Mr. Davis said the total cost of the installation of the traffic light will be approximately \$ 6,000.00. Mr. Davis said the County’s part would be approximately \$ 3,000.00. Mr. Davis said the County previously split the cost of the blinking light at this location in the amount up to \$ 1,500.00 and Mayor Davis was requesting the same type of agreement for the installation of a traffic light up to \$3,000.00.

Supervisor John Caldwell stated he had previously requested street lights in the County for safety reasons, however, the Board felt street lights were not the county’s responsibility. Supervisor Jessie Medlin said the county criticizes the state for not taking action at a bad intersection and the county should be careful not to do the same. Supervisor Caldwell said he felt the County should not share the cost of installing a traffic light within the city limits. Supervisor Jessie Medlin said this is a state aid road even though this road is in the city. Supervisor Eugene Thach said he understood Supervisor Caldwell’s position on the issue.

## **ITEM F.2, CONTINUED,**

Supervisor Tommy Lewis stated, as a Board, it was their duty to identify safety issues which require the Board’s attention. Supervisor Jessie Medlin stated the Board should also look into the rail crossings, even if they are located in the city limit.

Supervisor Tommy Lewis recommended County Administrator, W. E. “Sluggo” Davis speak to Mayor Greg Davis to see if the city will install the traffic light if the County decides not to fund this project and ask what would happen to their initial \$ 1,500.00 investment in the blinking light..

This item was held over until January 6<sup>th</sup>, 1999. **\*\*See Exhibit F.2\*\***

## **3. Board of Education - Request for Playground Improvement**

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, at the recommendation of the Road Manager, Kenny Gunn, to assist in the playground improvements for Olive Branch Elementary and Chickasaw Elementary Schools. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.3\*\***

## **4. Merritt Powell - MPO - Request for Support of Pedestrian Railroad Crossing**

This item was held over until January 6<sup>th</sup>, 1999. **\*\*See Exhibit F.4\*\***

## **5. Civil Defense - Clarification of Overtime**

Ginger Allison, of the Accounting Department, notified the Board of Supervisors she had spoken with the State Auditor, Kelly McGee in connection with the clarification of overtime for Civil Defense. Ms. Allison said according to Leon Schaffer, the County can reimburse overtime for the Civil Defense, and it will not set a precedent. Ms. Allison said the Board of Supervisors can determine if the time should be taken as vacation. No motions nor votes were made on this issue. **\*\*See Exhibit F.5\*\***

## **6. Bids Under Advisement - Ambulance**

Bobby Storey appeared before the Board of Supervisors in connection with the ambulance purchase for the County. Supervisor Eugene Thach replied to Mr. Storey, as Director, he should make recommendations to the Board as to what the ambulance needs are of the cities and the county.

Mr. Storey said Hernando works all of the sporting events, and now with the building of the Civic Center, this facility will also need to be covered. Mr. Storey said DeSoto County is growing so quickly, there is a need for more ambulances.

Supervisor John Caldwell remarked, if the County is providing ambulances, then the response time should be the same for all residents. Supervisor Caldwell said he agreed there is a need for new ambulances, but, if the County is paying for these ambulances, make sure the County receives the proper number of ambulances required for coverage. County residents should not have to settle for a slower response time than city residents.

Supervisor Caldwell reminded the Board that Eudora Fire Department has been providing a bay for the ambulance, however, if the Fire Departments keep growing, there will be a need for additional space for vehicles.

Supervisor Jessie Medlin asked Mr. Storey what type of trade in the County will receive for the old ambulances. Mr. Storey replied, less than \$ 5,000.00 per vehicle.

**ITEM F.6, CONTINUED,**

Mr. Storey notified the Board as of January 4<sup>th</sup>, 1999, Olive Branch received 1,560 calls; Southaven received 2,300 calls; Horn Lake received 1,560 calls; Hernando received 1,560 calls, and the County received 4,000 calls, for a total of 10,980 calls. Mr. Storey said he had no plan, due to the growth of the County, statistics are continually changing.

Supervisor John Caldwell asked what the Board would do as a County for ambulance service, if the cities decided to break ties with the County. Supervisor Jessie Medlin said he felt Mr. Storey did as Supervisor Tommy Lewis requested previously. Supervisor Jessie Medlin asked Mr. Storey for recommendations in connection with the ambulances. Mr. Storey recommended speaking to the cities to see if they wanted to pull out. Supervisor Eugene Thach remarked, the cities will decide this issue after the Tax Equity Study. Supervisor Jessie Medlin said this issue would result in a full time department for ambulance service. Mr. Storey recommended the purchase of seven (7) new ambulances.

At the recommendation of EMS Director, Bobby Storey, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to lease/purchase seven (7) more new ambulances with EMS Director, Bobby Storey making recommendations to the Board of Supervisors as to needs of the cities and county to place the ambulances. The **motion passed** by a unanimous vote.

**G. NEW BUSINESS**

**1. Accepting Attorney General’s approval of Interlocal Agreement between DeSoto and The Village of Memphis**

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion to accept the Attorney General’s approval of the Interlocal Agreement between DeSoto County and The Village of Memphis. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.1\*\***

**2. Making Appointment of Kenneth Stockton as Youth Court Prosecutor Part of the Minutes**

At the recommendation of County Court Judge Mills Barbee, Supervisor Jake Pearson made the motion, and Supervisor Jessie Medlin seconded the motion to approve making the appointment of Kenneth Stockton as Youth Court Prosecutor part of the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.2\*\***

**3. Dale Thompson, Comptroller**

**a. Claims Docket**

Dale Thompson, Comptroller of DeSoto County presented the claims docket.

**(1) Panola Construction - Administration Building**

Bills in connection with the DeSoto County Administration Building were presented by copy to each supervisor. **\*\*See Exhibit G.3.a.(1)\*\***

**(2) Waggoner Engineering - GIS Needs Assessment & Implementation Plan**

Bills in connection with the DeSoto County GIS Needs Assessment and Implementation Plan were presented by copy to each supervisor. **\*\*See Exhibit G.3.a.(2)\*\***

**(3) Universal Steel Buildings - Allied Enterprises**

Bills in connection with the Allied Building were presented by copy to each supervisor. **\*\*See Exhibit G.3.a.(3)\*\***

**ITEM G.3.a.(4), CONTINUED,**

**(4) CDBG - Nesbit Water - Approval of Payment - Edward T. Davis & Assoc.**

Bills in connection with the CDBG Nesbit Water, for Edward T. Davis & Assoc., Inc., were presented by copy to each supervisor. **\*\*See Exhibit G.3.a.(4)\*\***

**(5) Allen & Hoshall - Courthouse & Administrative Building**

Bills in connection with the DeSoto County Courthouse & Administrative Building were presented by copy to each supervisor. **\*\*See Exhibit G.3.a.(5)\*\***

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the claims docket and to disallow the Walls EMS bill and amend the Tax Collector’s travel as necessary (see other issues I.19). The **motion passed** by a unanimous vote.

**\*\*See Exhibit G.3.a.(1).(2).(3).(4).(5)\*\***

**b. Quarterly Allocation - Sheriff - Tax Collector - Tax Assessor**

**Sheriff’s Department**

In accordance with Section 27-1-32 of the Mississippi Code of 1972, which states the Board of Supervisors shall, at its first meeting of each quarter beginning on October 1, January 1, April 1, and July 1, appropriate a lump sum for the offices of sheriff for the expenses of his office during the current quarter, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the quarterly allocations for the Sheriff’s Department listed below as recommended by the Comptroller.

Sheriff’s Department.....	\$ 160,254.18
Sheriff’s Aviation Department.....	\$ 11,203.83

Patrol/Law Enforcement.....	\$ 670,294.80
Cust. Of Prisoners/Jail.....	\$ 303,732.01
Prisoner Medical.....	\$ 74,429.99
Rescue Unit.....	\$ 938.91

The **motion passed** by a unanimous vote. **\*\*See Exhibit G.3.b.\*\***

**Tax Assessor**

In accordance with Section 27-1-32 of the Mississippi Code of 1972, which states the Board of Supervisors shall, at its first meeting of each quarter beginning on October 1, January 1, April 1, and July 1, appropriate a lump sum for the office of tax assessor for the expenses of his office during the current quarter, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the quarterly allocations for the Tax Assessor in the amount of \$ 129,713.22 as recommended by the Comptroller. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.3.b.\*\***

**ITEM G.3.b, CONTINUED,**

**Tax Collector**

In accordance with Section 27-1-32 of the Mississippi Code of 1972, which states the Board of Supervisors shall, at its first meeting of each quarter beginning on October 1, January 1, April 1, and July 1, appropriate a lump sum for the office of tax collector for the expenses of his office during the current quarter, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the quarterly allocations for the Tax Collector listed below as recommended by the Comptroller.

Tax Collector.....	\$ 158,762.86
Municipal Tax Fees.....	\$ 5,869.99

The **motion passed** by a unanimous vote. **\*\*See Exhibit G.3.b.\*\***

**4. Bid Opening - State Aid**

**DECD-0017(28)B - First (1<sup>st</sup>) Mile of Polk Lane**

Mr. Dan Tolar of State Aid, and County Engineer Daniel Murphy came before the Board of Supervisors for Bid Opening of #DECD-0017(28)B. Mr. Tolar said the State Aid estimate for the project is \$ 1,451,945.00.

Mr. Tolar said seven (7) bids were received and opened at 11:00 a.m. on the State Aid Project #DECD-0017(28)B. Mr. Tolar stated the bids were received as follows:

Choctaw Construction, Memphis, Tn	\$ 1,383,892.10
Boots Smith Corporation, Laurel, Ms	\$ 1,619,215.50
Farrell Paving, Memphis, Tn	\$ 1,383,047.04
Hill Brothers, Faulkner, Ms	\$ 1,484,217.42
Gray Corporation, Faulkner, Ms	\$ 1,341,853.84
North East Construction, Tupelo, Ms	\$ 1,674,908.12
Talbot Brothers, Nesbit, Ms	\$ 1,429,356.74

This project is for the first (1<sup>st</sup>) mile of Polk Lane.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to take bids under advisement. The **motion passed** by a unanimous vote.

Later in the meeting, and at the recommendation of State Aid Representative Dan Tolar, and County Engineer Daniel Murphy, Supervisor Jake Pearson made the motion, and Supervisor Tommy Lewis seconded the motion to award State Aid Project #DECD-0017(28)B to Gray Corporation, Faulkner, Mississippi as the low bidder to meet the bid specifications for this project at a bid of \$ 1,341,853.84. The **motion passed** by vote was as follows:

Jessie Medlin-----Absent  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis----- Yes

**\*\*SEE EXHIBIT G.4\*\***

## **ITEM G.5, CONTINUED,**

### **5. Kenny Gunn - Central Maintenance**

#### **a. Road Report & Work Schedule**

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to accept the Road Report for December, 1998 and Work Schedule for January, 1999, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Absent  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT G.5\*\***

### **6. Bids Under Advisement**

#### **a. Road Widener**

At the recommendation of the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion and Supervisor Jake Pearson seconded the motion to approve the low bid from Contractors Equipment in connection with bid file #99-156-002 for One (1) Road Widener at a low bid of \$ 107,500.00. The **motion passed** by a vote as follows:

Jessie Medlin-----No  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis-----Yes

Supervisor Tommy Lewis asked if this will save money. Kenny Gunn said yes. Supervisor Jessie Medlin asked how the machine will be moved. Kenny Gunn said it is self propelled.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to get lease purchase bids for the road widener. The **motion passed** by a vote as follows:

Jessie Medlin-----No  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis-----Yes



**\*\*See Exhibit G.6.a\*\***

**b. Compact Utility Tractor**

At the recommendation of the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion and Supervisor Jake Pearson seconded the motion to approve the low bid from Tractors & Equipment in connection with bid file #99-156-001 for One (1) or more Compact Utility Tractor at a low bid of \$ 10,962.00. The **motion passed** by a unanimous vote.

**\*\*See Exhibit G.6.b\*\***

**ITEM G.7, CONTINUED,**

**7. Authorization to open Bids**

**a. Lawn Care Services on January 12<sup>th</sup>, 1999**

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the County Administrator W. E. "Sluggo" Davis or his designed to open bids for Lawn Care Services for the DeSoto County Building on January 12<sup>th</sup>, 1999 at 10:00 A.M. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.7.a.\*\***

**b. Vending Machines - January 27<sup>th</sup>, 1999**

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the County Administrator W. E. "Sluggo" Davis to open bids for Vending Machines in the DeSoto County Buildings on January 27<sup>th</sup>, 1999 at 10:00 A.M. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.7.b.\*\***

**8. Bailiff Pay**

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, of Mississippi Code of 1973, Annotated, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to pay Tommy Carr the amount of \$ 280.00 for the month of January, 1999; to pay Jerry Easley the amount of \$ 320.00 for the month of January, 1999, for their service as bailiff for DeSoto County Justice Court. The **motion passed** by a unanimous vote. **\*\*SEE EXHIBIT G.8\*\***

**9. Justice Court Report**

Justice Court Clerk Linda Aldridge presented the Justice Court Report to the Board of Supervisors for the month of December.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept the Justice Court Report as presented by Linda Aldridge, for the month of December, 1998, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. **\*\*SEE EXHIBIT G.9\*\***

**Supervisor Jessie Medlin made the motion, and Supervisor Tommy Lewis seconded the motion to recess until 1:30 p.m. The motion passed by a unanimous vote.**

**10. Sheriff Department - "Employee Report"**

Supervisor John Caldwell made the motion and Supervisor Jake Pearson seconded the motion to acknowledge receipt of the Sheriff's Department Employee Reports for the month of December, 1998. The report is attached and made a part of the minutes in Exhibit G.10. The **motion**

**passed** by a unanimous vote. **\*\* SEE EXHIBIT G.10\*\***

#### **11. Publication of Board Proceeding**

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published in some newspaper in the county, and cause the same to be paid for out of the county treasury. The **motion passed** by a unanimous vote.

### **ITEM G.12, CONTINUED,**

#### **12. Approval of Travel**

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of January 4, 1999 to February 1, 1999, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling. Supervisor John Caldwell made the motion to authorize travel for all officials and employees of DeSoto County for the period of January 4, 1999 to February 1, 1999. Supervisor Tommy Lewis seconded the motion. The **motion passed** by a unanimous vote.

#### **13. Authorization to Bid - County Depository**

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to the motion to approve to go out for bids in connection with the County Depository. The **motion passed** by unanimous vote. **\*\*See Exhibit G.13\*\***

#### **14. Approval of Contract Extension for Nesbit Water Project**

Supervisor Tommy Lewis presented a contract extension for the Nesbit Water Project to the Board of Supervisors for approval. Vanessa Lynchard said this contract modification would extend the contract period through February 15<sup>th</sup>, 1999.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the contract extension for the Nesbit Water Project through February 15<sup>th</sup>, 1999. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.14\*\***

#### **15. Civic Center - Dirt Hauling**

Supervisor John Caldwell notified the Board of Supervisors the Civic Center has approximately 35,000 square yards of excess dirt. Supervisor Caldwell said the contractor is willing to haul the dirt out of the Civic Center area at a cost of \$ 50,000.00, which was an alternate on the bid.

Supervisor Caldwell said if the County is interested in this project, the contractor needs to be notified, as the contractor will bring in different equipment to complete this project.

Supervisor Jessie Medlin asked if the Board was working with the contractor. Supervisor John Caldwell said the contractor would haul the excess dirt to the specified site for the County. Supervisor Jessie Medlin asked if this would save the County money.

Board Attorney, William Austin said to dig the dirt out of the hole, is included in the base price. Supervisor Jessie Medlin said, hauling the dirt is not in the base price of the bid. Supervisor John Caldwell said \$ 50,000 was an alternate to the bid and is cheaper than the County purchasing the dirt for \$ 50,000 and then paying an additional expense of \$ 50,000 to haul the

dirt to a specified site. Supervisor Eugene Thach said this decision should be made by the Road Manager, Kenny Gunn.

Supervisor John Caldwell said he has spoken with Mr. Gunn regarding the dirt hauling. Mr. Gunn said indirectly the County was purchasing the dirt. Supervisor Eugene Thach said if the dirt is needed, decide who's budget it will come out of. Supervisor Jessie Medlin suggested if the dirt is needed elsewhere, then haul it to a specific site instead of the landfill.

#### ITEM G.15., CONTINUED,

Supervisor Tommy Lewis suggested Jim Bearden checking with the DEQ in connection with a cap to the landfill, and check to make sure the County would not violate any regulation.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to take the Civic Center - Dirt Hauling under advisement. The **motion passed** by a vote as follows:

Jessie Medlin-----	Yes
Eugene C. Thach-----	Yes
James D. Pearson-----	Absent
John Caldwell-----	Yes
Tommy Lewis-----	Yes

#### 16. Extension Services - Acknowledgment of Retirement Date

After discussing the valuable efforts of Ms. Martha Gatlin having served the citizens of DeSoto County, Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to accept the resignation of Ms. Martha Gatlin, effective March 12<sup>th</sup>, 1999, and to send a Resolution of Gratitude to Ms. Martha Gatlin for her dedicated and competent service, devotion, and leadership as Extension Home Economist/County Coordinator of DeSoto County. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.16\*\***

#### 17. Civil Defense - Mitigation Grant

Civil Defense Director, T. H. Walker appeared before the Board of Supervisors to present a Mitigation Grant awarded to DeSoto County in the amount of \$ 21,110.00. Mr. Walker said this grant would be used to purchase tone activated radio receivers (alert boxes) in schools, dispatch centers, and for furnishing the necessary equipment to transmit the necessary tones from their office. Mr. Walker stated there would be no cost involved to the County for the grant. The Board of Education will pay the 25% match.

At the recommendation of Civil Defense Director, T. H. Walker, Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to accept the Mitigation Grant, in the amount of \$ 21,110.00 for Civil Defense, and to approve the budget amendment if necessary for same. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.17\*\***

#### 18. CDBG - Approval to change Signatory Authority

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion to approve the Board President, Jessie Medlin to be given authority to sign any and all documents pertaining to DeSoto County in regards to grants, proposals, and other related documents for CDBG. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.18\*\***

#### 19. Approval to Extend Lawn Care Contract through March 31<sup>st</sup>, 1999

County Administrator, W. E. "Sluggo" Davis notified the Board of Supervisors of a discrepancy with the Lawn Care Contract. Mr. Davis said the bid was awarded on April 2<sup>nd</sup>, 1998, and divided by twelve (12) equal payments, however, the Board made the contract effective December 31<sup>st</sup>, 1998. Mr. Davis said all work has been completed except winter work and

recommended extending the contract through March 31<sup>st</sup>, 1999.

At the recommendation of County Administrator, Supervisor Jake Pearson made the motion, and Supervisor Eugene Thach seconded the motion to approve the extension of the Lawn Care Contract through March 31<sup>st</sup>, 1999. The **motion passed** by a unanimous vote.  
**\*\*See Exhibit G.19\*\***

**ITEM G.20, CONTINUED,**

**20. Approval of Changes in Assessments**

Supervisor John Caldwell made the motion and Supervisor Jake Pearson seconded the motion to approve the notice to increase in assessment of Real Property as presented by the Tax Assessor, Parker Pickle. The **motion passed** by a unanimous vote. **\*\*See Exhibit G.20\*\***

**H. EXECUTIVE SESSION**

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

**I. OTHER ISSUES**

**1. Resolution - Ann Carver**

After discussing the valuable efforts of Ms. Ann Carver having served the citizens of DeSoto County, on the County Library Board. Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to send a Resolution of Gratitude to Ms. Ann Carver for her dedicated and competent service, devotion, and leadership as Appointee on the Library Board of DeSoto County. The **motion passed** by a unanimous vote.  
**\*\*See Exhibit I.1\*\***

**2. Entergy - Right of Way - Administration Building**

Supervisor Jake Pearson made the motion, and Supervisor Tommy Lewis seconded the motion to make the fully executed right of way agreement with Entergy for the Administration Building part of the minutes. The **motion passed** by a vote as follows:

Jessie Medlin-----Absent  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis-----Yes

**\*\*See Exhibit I.2\*\***

**3. Top 40 - Over 40 - John Caldwell**

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion to recognize Supervisor John Caldwell as recipient of the Top 40 - Over 40 award and make it part of the minutes. The **motion passed** by a vote as follows:

Jessie Medlin-----Absent  
Eugene C. Thach-----Yes

James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis-----Yes

**\*\*See Exhibit I.3\*\***

**ITEM I.4, CONTINUED,**

**4. Residential Concerns - Shooting of Firearms**

Supervisor John Caldwell notified the Board of Supervisors a concerned citizen had approached him in connection with the shooting of firearms in regards to safety and noise. Supervisor John Caldwell asked if the County has a ordinance to cover this issue.

Supervisor Tommy Lewis said there are several lots in the County which are less than one (1) acre, which could pose a threat with the shooting of a firearm. Supervisor John Caldwell asked if the County impose an ordinance stipulating footage from a home.

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion, to refer this issue to the Planning Commission for recommendations. The **motion passed** by a vote as follows:

Jessie Medlin-----Absent  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Yes  
Tommy Lewis-----Yes

**5. Hot Mix Overlay - Kenny Gunn - Central Maintenance**

Supervisor Tommy Lewis asked the Road Manager, Kenny Gunn to figure if any money would be left in his budget for the Hot Mix Overlay. Mr. Gunn replied, there should be no surplus money available. Mr. Gunn said with the Church Road Interchange, he has not received an invoice for this part of the project, however, he had budgeted for this expense. Mr. Gunn asked the Board did they want to use money budgeted for this project, then wait to see if the invoice is received. Mr. Gunn requested meeting with the Comptroller, Dale Thompson, then appearing before the Board on January 6<sup>th</sup>, 1999 to present findings. This issue was held over until January 6<sup>th</sup>, 1999.

**6. Solid Waste Assistance Grant - Jim Bearden**

Jim Bearden of Operations and Maintenance notified the Board of Supervisors a Solid Waste Assistance Grant has been awarded to DeSoto County, in the amount of \$ 28,350.00. Mr. Bearden said this grant has no match required.

Mr. Bearden said with this grant, DeSoto County will establishing a Oil Recycling location for the use of all DeSoto County residents. Supervisor Jessie Medlin asked Mr. Bearden if the Oil Recycling location would fall within the environmental guidelines. Mr. Bearden replied, these locations will be totally enclosed.

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion, to accept the Solid Waste Assistance Grant in the amount of \$ 28,350.00. The **motion passed** by a unanimous vote. **\*\*See Exhibit I.6\*\***

The Comptroller, Dale Thompson, asked Mr. Bearden who would pay for this. Mr. Bearden replied, these expenses will come from the Solid Waste Department. Ms. Thompson replied, an amendment will be necessary to cover the cost of this project.

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to approve the budget amendment from account #112-340-906, Solid Waste Department to cover

the expenses and revenues related to the location of the Oil Recycling Project. The **motion passed** by a unanimous vote. **\*\*See Exhibit I.6\*\***

**ITEM I.7, CONTINUED,**

**7. Budget Amendment - Tax Collector - Travel**

The Comptroller, Dale Thompson notified the Board of Supervisors of a budget amendment needed in the Tax Collector’s office for travel to and from the three (3) Tax Collector’s offices. Ms. Thompson said the budget amendment is to increase travel in county in the amount of \$ 206.00, and decrease travel out of county in the amount of \$ 206.00.

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the budget amendment for the Tax Collector regarding travel in county in the amount of \$ 206.00, and decrease travel out of county in the amount of \$ 206.00, under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19. The **motion passed** by a unanimous vote.

Increase	001-104-477	Travel In County	\$ 206.00
Lower	001-104-475	Travel Out of County	\$ 206.00

**\*\*See Exhibit I.7\*\***

**8. Metro Narcotics**

Vanessa Lynchard notified the Board of Supervisors, Metro Narcotics will fall short with the \$ 19,000.00 amendment. Vanessa explained to Gary Smith of Metro Narcotics he would need to re-appear before the Board to request further assistance from the County. Vanessa reminded Mr. Smith, when the Board amends Metro Narcotic’s budget, if money is not needed, the County can not re-coop funds from Metro Narcotics. Supervisor Jessie Medlin stated, the Board will fund Metro Narcotics as money is needed.

**9. Sandidge Road to Latham**

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to request the City Engineer of Olive Branch to get right of ways along Sandidge Road from Latham to the end of the pavement, Engineering of the center line of Sandidge, and to advise the Road Manager, Kenny Gunn when work can begin. The **motion passed** by a unanimous vote.

**10. Church Road Bridge - Project BR-1946-B**

At the recommendation of the County Engineer, Daniel Murphy, Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to approve final acceptance of the bridge project BR-1946-B at Church Road and Highway 61. The **motion passed** by a unanimous vote.

**11. Insurance - Workmen’s Compensation**

County Administrator, W. E. “Sluggo” Davis notified the Board of Supervisors, there was a discrepancy in the modification rate of the Workmen’s Compensation bids. Mr. Davis said he has verified the bids were taken and tabulated fairly.

ITEM I.12., CONTINUED,

12. Court Reporter

At the order of County Court Judge Mills E. Barbee, Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to appoint Jimmie Kate Edwards as the official Court Reporter of DeSoto County, Mississippi for a term of four (4) years to commence immediately. The **motion passed** by a vote as follows:

Jessie Medlin-----	Absent
Eugene C. Thach-----	Yes
James D. Pearson-----	Yes
John Caldwell-----	Yes
Tommy Lewis-----	Yes

13. Contract negotiations with BFI

Supervisor Jessie Medlin asked who is on the committee to negotiate with BFI. Supervisor John Caldwell responded he and Supervisor Medlin are that committee. Supervisor Medlin suggested including a backup plan for garbage pickup.

Jim Bearden said his office got several calls complaining about not having anywhere to take garbage in the event of a weather emergency or cleanup. Jim Bearden said he recommends putting a dumpster at fire departments. Mr. Bearden suggested having them put out Christmas week.

Supervisor Jessie Medlin informed the Board that DeSoto County used to have a BFI representative that monitored the routes. Now that person works Shelby, Marshall, and DeSoto County.

14. Nesbit Water Project

Supervisor John Caldwell notified the Board of Supervisors that when the contractor was putting in pipes damage occurred to the roadway between Starlanding and Tulane.

15. Roads - Debbie Drive

Supervisor Jessie Medlin said people had problems coming down Debbie Drive during the icing. Road Manager, Kenny Gunn said Debbie is in the city.

16. Roads - Tchulahoma

Supervisor Eugene Thach asked about progress on the right of way on Tchulahoma. Kenny Gunn said according to Public Works Director, Bannie Ramage, Southaven, Mississippi, they have all on the west side and all but two (2) on the east side. Joe Frank Lauderdale, Engineer for Olive Branch, is working on right of way at Pleasant Hill and Stateline Road and sees no problem.

17. Roads - Pigeon Roost

Supervisor Jessie Medlin notified the Board of Supervisors that the road off Pigeon Roost has still not been improved.

18. Central Maintenance - Equipment - Road Widener

Kenny Gunn said the chip spreader should pay for itself by next year.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until Wednesday, January 6, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 4th day of January, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

\_\_\_\_\_  
JESSIE L. MEDLIN, President  
DeSoto County Board of Supervisors